

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/879,719	CURTIS, WAYNE R.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Deborah K. Ware	1651	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/27/03.
2. ☒ The allowed claim(s) is/are 1-27.
3. ☒ The drawings filed on 12 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

5. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |                                                                                                        |                                                                                         |
|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)                                        | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)              |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. <u>n/a</u> |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____               | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment                      |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                |
|                                                                                                        | 9 <input type="checkbox"/> Other _____                                                  |

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

#### **In the title**

Changed the title to – GROWING CELLS IN A RESERVOIR FORMED OF A FLEXIBLE STERILE PLASTIC LINER -- .

Authorization for this examiner's amendment was given in a telephone interview with Stephen Eland on October 30, 2003.

#### **In the specification**

At page 1, line 3, after "1999" inserted –now U.S. Patent No. 6,245,555 B1--.

#### **In the abstract**

At line 2, before "provided" deleted "is" and inserted –are--,

At line 4, after "disposable" inserted –flexible sterile plastic--,

At line 6, after first occurrence of "liner" inserted –to form a reservoir--,

At line 10, after "standards." Inserted -- Aerating fluid is introduced during culturing of cell or microorganisms in the reservoir. A growth characteristic can be used to vary flow rate and/or composition of the aerating fluid. Another reservoir may be used for circulation between two reservoirs.--

#### **In the claims**

Claim 1, line 3, after "plastic" inserted –liner forming a-- ;

Claim 10, line 3, after "first" and before "liner" inserted --flexible sterilized plastic--

, line 10, after "second" and before "liner" inserted --flexible sterilized plastic-- ;

Claim 15, line 2, deleted "10" and inserted --11--;


Claim 17, line 3, before "plastic" inserted --sterile--and after "plastic" and before "reservoir" inserted--liner forming a--;


Claim 26, line 1, after "reservoir is" inserted --formed of--,  
, line 2, after "flexible" inserted--sterile--and after "plastic" deleted "reservoir" and inserted--liner-- .

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deborah K. Ware whose telephone number is 308-4245. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Wityshyn can be reached on 308-4743. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 308-0196.

  
Deborah K. Ware  
November 1, 2003

  
DAVID M. NAFF  
PRIMARY EXAMINER  
ART UNIT 1651